

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>ROBIN R. FRAZIER,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 7:11cv265</b>
	)	
<b>v.</b>	)	
	)	
<b>MICHAEL J. ASTRUE,</b>	)	<b>By: Michael F. Urbanski</b>
<b>Commissioner of Social Security,</b>	)	<b>United States District Judge</b>
	)	
<b>Defendant.</b>	)	

**ORDER**

This matter was referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on August 13, 2012, recommending that plaintiff's motion for summary judgment be denied, the Commissioner's motion for summary judgment be granted and the Commissioner's final decision be affirmed. Plaintiff has filed objections to the report and recommendation.

The court has reviewed the Magistrate Judge's report, the objections to that report, and the pertinent portions of the administrative record, and concludes that the Magistrate Judge's report is substantially correct. The court therefore adopts the report and recommendation.

It is accordingly **ORDERED** and **ADJUDGED** that plaintiff's motion for summary judgment (Docket #14) is **DENIED**, that the Commissioner's motion for summary judgment (Docket #16) is **GRANTED**, that the Commissioner's final decision is **AFFIRMED**, and that this matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to all counsel of record.

Entered: September 12, 2012

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge